

**UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT**

RICHARD WEST and JOSEPH BRUYETTE,  
individual and on behalf of a class of similarly  
situated persons;

Plaintiffs,

v.

MICHAEL SMITH, in his official capacity  
only, as Vermont Secretary of Human  
Services; JANE DOE, Vermont Deputy  
Secretary of Human Services; JAMES  
BAKER, Vermont Department of Corrections  
Interim Commissioner; JOHN DOE, Vermont  
Department of Corrections Health Services  
Director, in their official capacities; and  
VITALCORE HEALTH STRATEGIES, LLC,

Defendants.

Case No. 2:19-cv-00181-WKS

**JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT  
AND APPROVAL OF CLASS NOTICE**

Pursuant to Fed. R. Civ. P. 23(e), Plaintiffs Richard West and Joseph Bruyette, on behalf of themselves and as representatives of the certified class, hereby move the Court, jointly with Defendants Secretary Mike Smith, Commissioner James Baker and John/Jane Does, and VitalCore Health Strategies, LLC, for preliminary approval of the class settlement of this matter, and approval of the form notice to be sent to class members. This motion is supported by a memorandum and declaration, to be filed contemporaneously.

DATED: June 11, 2021

/s/ Kevin Costello

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### **CERTIFICATE OF SERVICE & CONFERENCE**

I hereby certify that the Parties have conferred in advance of filing this motion. I also hereby certify that on June 11, 2021, I electronically filed with the Clerk of Court the foregoing document using the CM/ECF system. The CM/ECF system will provide service of such filing via Notice of Electronic Filing (NEF) to all counsel of record.

s/ Kevin Costello

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Dated: June 11, 2021